

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 21, 2002**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in regular session at the Board Office in Jackson, Mississippi, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 2, 2001, to each and every member of said Board, said date being at least five days prior to this February 21, 2002 meeting. At the above-named place there were present the following members to wit: Mr. Thomas W. Colbert, Ms. Ricki R. Garrett, Mr. Bryce Griffis, Mr. Roy Klumb, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Carl Nicholson, Jr., Mr. Scott Ross, and Ms. Amy Whitten. Mr. William S. Crawford and Dr. Stacy Davidson were absent. The meeting was called to order by Mr. Bryce Griffis, Vice President, and opened with prayer by Mr. Klumb.

Mr. Bryce Griffis, Vice President of the Board, announced that he would preside over the meeting since Mr. Bill Crawford, President of the Board, is ill.

APPROVAL OF THE MINUTES

On motion by Mr. Nicholson, seconded by Mr. Klumb, with Mr. Crawford and Dr. Davidson absent and not voting, it was

RESOLVED, That the Minutes of the Board meeting held on January 17, 2002, stand approved.

UNANIMOUS CONSENT

On motion by Mr. Nicholson, seconded by Mr. Klumb, with Mr. Crawford and Dr. Davidson absent and not voting, it was

RESOLVED, That consent to be considered is granted to all items not previously placed on the agenda and hereinafter reported.

RECOGNITION

1. Mr. Griffis recognized Representative Charles Young of the House Universities and Colleges Committee and thanked him for his attendance.
2. Ms. Garrett wished Debbie Harris, Executive Assistant to the Commissioner, a Happy Birthday.

Mr. Griffis passed the chairmanship of the Board meeting to Dr. Bettye Neely for the 2002 Black History Month Recognition.

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2002 BLACK HISTORY MONTH RECOGNITION

Dr. Bettye Neely, Chair of the Black History Committee, presented certificates to each of the nominees for Black History Educator. The nominees were as follows:

Dr. Donzell Lee	Alcorn State University
Dr. Alphonso Sanders	Delta State University
Dr. Ally C. Mack	Jackson State University
Dr. Linda Cornelious	Mississippi State University
Dr. Walter N. Taylor	Mississippi State University Division of Agriculture, Forestry and Veterinary Medicine
Dr. Mary L. Alexander	Mississippi University for Women
Mr. Fred Williams	Mississippi Valley State University
Dr. Donald R. Cole	University of Mississippi
Dr. Willie J. Hill	University of Mississippi Medical Center
Mr. Michael Mitchell	University of Southern Mississippi

On motion by Ms. Garrett, seconded by Ms. Newton, with Mr. Crawford and Dr. Davidson absent and not voting, the Board approved Black History Month Recognition, as follows:

Dr. Bettye Neely, Chair of the Black History Month Committee, presented resolutions honoring the Black History Month Educator who is Dr. Ally C. Mack, Director, Office of International Programs and Executive Director Mississippi Consortium for International Programs, Jackson State University (**See Exhibit 1**), and the special honoree, Reuben Vincent Anderson, Former Supreme Court Justice and Attorney at Law (**See Exhibit 2**).

Dr. Neely passed the chairmanship of the Board meeting to Dr. Thomas Layzell for consideration of the Academic and Student Affairs Agenda. Dr. Layzell then passed the chairmanship of the Board meeting to Dr. William McHenry, Assistant Commissioner of Academic Affairs, for a presentation on academic program materials and on the results of the first academic productivity review under the new policy that the Board adopted at its September 20, 2001 meeting.

ACADEMIC AND STUDENT AFFAIRS AGENDA

Presented by Dr. Thomas Layzell

On motion by Ms. Whitten, seconded by Mr. Nicholson, with Mr. Crawford and Dr. Davidson absent and not voting, it was

RESOLVED, That the Board hereby approves agenda items #1 and #2, excluding #2(a)i, as submitted on the following Academic and Student Affairs Agenda. **AGENDA ITEMS #2(a)i AND #3 WERE**

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PULLED FROM THE AGENDA AS SHOWN BELOW. Agenda item #4 was approved on a separate motion by Mr. Nicholson, seconded by Ms. Whitten, with Mr. Crawford and Dr. Davidson absent and not voting. Agenda item #6 was approved on a separate motion by Ms. Whitten, seconded by Mr. Nicholson, with Mr. Crawford and Dr. Davidson absent and not voting. **AGENDA ITEM #7 WAS PULLED FROM THE AGENDA AS SHOWN BELOW.**

1. **UMMC** - Approved request to award a Doctor of Philosophy degree on February 22, 2002.

Pursuant to *Board Policies and Bylaws* Section 301.0517 Postponement of Board Consideration, Ms. Garrett **invoked the privilege of temporarily postponing Board action** on items #2(a)i and #3 until the next regularly scheduled Board meeting.

2. **System Administration** - Approved the following administrative changes:
 - a. Establishment of Department:
 - i. The University of Mississippi - Department of Legal Studies. **THIS ITEM WAS PULLED FROM THE AGENDA.**
 - ii. The University of Mississippi Medical Center -
From: Division of Otolaryngology in the Department of Surgery
To: Department of Otolaryngology and Communicative Sciences
 - b. School Name Change:
 - i. The University of Southern Mississippi -
From: School of Communication
To: School of Mass Communication and Journalism
 - c. Department Name Change:
 - i. Alcorn State University -
From: Department of Industrial Technology
To: Department of Advanced Technologies
3. **System Administration** - Request for a new academic program, as follows: The University of Mississippi - Bachelor of Paralegal Studies (CIP 22.0103). **THIS ITEM WAS PULLED FROM THE AGENDA.**

Mr. Ross made the point of order that unless there is a motion to proceed immediately, then there should be no discussion at this time concerning items #2(a)i and #3. They are pulled from the agenda.

4. **System Administration** - Approved request for a program name change, as follows:
Alcorn State University - From: B.S. in Agronomy (CIP 020402) To: B.S. in Plant and Soil Science (CIP 020499).

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5. **System Administration (Information item.)** - Notices of intent to request new academic programs:
 - a. The University of Mississippi - (1) Doctor of Philosophy in Higher Education (CIP 13.0406) and (2) Bachelor of Science in Criminal Justice (CIP 43.0103).
 - b. The University of Mississippi Medical Center - (1) Graduate Program in Craniofacial and Dental Research (CIP 51.0501); (2) Bachelor of Science in Clinical Health Science (CIP 51.1399); and (3) Master of Occupational Therapy (CIP 51.2306).
6. **System Administration** - Approved request to suspend the following academic programs:
 - a. Mississippi University for Women - (1) M.S.N. for Geriatric Nurse Clinicians (CIP 51.1601) and (2) B.S. in Fashion Merchandising (CIP 19.0901).
 - b. Delta State University - (1) M.Ed. in Mathematics Education (CIP 13.1311); (2) Master of Music Education (CIP 13.1312); (3) Master of Professional Accountancy (CIP 52.0301); (4) Master of Social Work (CIP 44.0701); and (5) Ed.S. in Secondary Education (CIP 13.1205).

Pursuant to *Board Policies and Bylaws* Section 301.0517 Postponement of Board Consideration, Mr. Klumb **invoked the privilege of temporarily postponing Board action** on agenda item #7 until the next regularly scheduled Board meeting.

7. **System Administration** - Academic Productivity Review Report. A copy of the report is included in the *February 21, 2002 Board Working File*. **THIS ITEM WAS PULLED FROM THE AGENDA.**

Dr. McHenry passed the chairmanship of the Board meeting to Mr. Bryce Griffis.

BOARD DINNER

Mr. Bryce Griffis thanked Justice Lenore Prather, Interim President of Mississippi University for Women, and her faculty and staff for hosting the February 21, 2002 Board dinner.

Mr. Griffis passed the chairmanship of the Board meeting to Mr. Carl Nicholson for consideration of the Budget & Financial Affairs Agenda.

BUDGET & FINANCIAL AFFAIRS AGENDA

Mr. Carl Nicholson, Chair

On motion by Ms. Whitten, seconded by Dr. Magee, with Mr. Crawford and Dr. Davidson absent and not voting, it was

RESOLVED, That the Board hereby approves agenda items #1 - #3 as submitted on the following

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Budget & Financial Affairs Agenda. Agenda item #4 was approved, as amended, on motion by Mr. Ross, seconded by Mr. Nicholson, with Mr. Crawford and Dr. Davidson absent and not voting.

1. **UMMC** - Approved request to enter into an agreement with Medical Reimbursements of America, LLC to provide reimbursement assistance for accident/injury health care benefits coordination and reimbursement. The agreement is for the period beginning March 1, 2002 through June 30, 2003 based on a percentage of patient charges reimbursed not to exceed \$900,000 for the contract period.
2. **UMMC** - Approved request to enter into an agreement with Kforce, Inc. to provide medical coding services by consultants. The agreement is for the period March 1, 2002 through June 30, 2003 and will not exceed \$1 million.
3. **UMMC** - Approved request to enter into an agreement with MC AnalyTXs, Inc. (MCA) to identify unpaid or underpaid claims in inpatient Medicare related payments due to the University Hospitals and Clinics from Medicare Part A or B, Medicaid and from other insurance carriers. The contract shall pay 50% of all amounts collected by MCA up to \$1 million for the period March 1, 2002 through June 30, 2003.
4. **System Administration** - Approved amendment to the *Board Policies and Bylaws*—Section 707.01—Land, Property, and Service Contracts—for first reading, as follows:

707.01 Land, Property, and Service Contracts

Board approval prior to execution of the contract is required for all other land, personal property, and service contracts that require and aggregate total expenditure of more than \$250,000. **Board approval prior to execution of the contract is required for any bookstore, food service, or athletic concession contract projected to generate aggregate total revenues for a university of more than \$250,000 or if the term of such contract exceeds four years.** Board approval prior to execution of an easement is required.

The underlined language indicates an amendment to the proposed amendment.

5. **System Administration** - The Board discussed tuition and fees using the following materials: a summary of how much additional tuition would be generated by each percent of increase; a summary of tuition and fees as a percent of per capita income; a national comparison of tuition and fee rates and cost of attendance rates; and a regional comparison of tuition and fee rates.
6. **Other Business**
 - a. **ASU Audit** - Dr. Clinton Bristow, President of Alcorn State University, announced that the FY01 Audit for Alcorn has been completed. The draft report gives Alcorn an unqualified opinion.

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Mr. Nicholson passed the chairmanship of the Board meeting to Mr. Bryce Griffis for consideration of the Building/Facilities Agenda.

BUILDING/FACILITIES AGENDA

Mr. Bryce Griffis, Chair

On motion by Mr. Nicholson, seconded by Ms. Newton, with Mr. Crawford and Dr. Davidson absent and not voting, it was

RESOLVED, That the Board hereby approves agenda items #1 - #3 as submitted on the following Building/Facilities Agenda. Agenda items #4 - #9 were approved on a separate motion by Ms. Whitten, seconded by Ms. Newton, with Mr. Crawford and Dr. Davidson absent and not voting. **MR. NICHOLSON ABSTAINED FROM AGENDA ITEMS #8 AND #9.** Agenda items #10 - #15 were approved on a separate motion by Mr. Ross, seconded by Ms. Newton, with Mr. Crawford and Dr. Davidson absent and not voting. Agenda items #16 - #21 were approved on a separate motion by Mr. Nicholson, seconded by Ms. Newton, with Mr. Crawford and Dr. Davidson absent and not voting. Agenda items #22 - #26 were approved on a separate motion by Ms. Garrett, seconded by Mr. Klumb, with Mr. Crawford and Dr. Davidson absent and not voting. Agenda items #27 and #28 were approved on a separate motion by Dr. Magee, seconded by Dr. Neely, with Mr. Crawford and Dr. Davidson absent and not voting. Agenda item #29 was approved on a separate motion by Mr. Ross, seconded by Ms. Garrett, with Mr. Crawford and Dr. Davidson absent and not voting.

1. **MSU** - Approved initiation of **IHL #205-193, North Entrance Bicycle and Pedestrian Facility**, to design and construct a path from the intersection of George Perry Street and Bar Avenue to MS Highway 82. Also, approved request for the design and construction administration to be performed by the Physical Plant Department. Funds are available in the amount of \$1,095,838 from the Mississippi Department of Transportation and in the amount of \$273,959 from University Capital Improvement Funds.
2. **UM** - Approved initiation of **IHL #207-213, Indoor Practice Facility**, and appointment of Ferguson and Associates as project professionals. The building will house indoor practice area, dressing rooms, training facility, weight rooms, coaches' offices, equipment room, track offices, dressing rooms, and a memorabilia room. Funds are available from private sources.
3. **UM** - Approved initiation of **IHL #207-214, Stockard-Martin Hall Renovation**, and appointment of Mills & Mills Architects, PC as project professionals. Funds are available in the approximate amount of \$1 million from self-generated auxiliary reserves.
4. **MSU** - Approved bids and award of contract in the amount of \$3,363,000 to the low bidder, Fletcher Construction Co., Inc., for **GS #113-079, Gulf Coast Research and Extension Building**, and

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request approval by the Bureau of Buildings. Funds are available in the amount of \$750,000 from H.B. 1843, Laws of 1997, and in the amount of \$3 million from S.B. 3254, Laws of 1998, for a total budget of \$3.75 million. Bids were as follows:

Contractor	Base Bid
1. Fletcher Construction Co., Inc.	\$3,363,000
2. G. M. & R. Construction Co., Inc.	\$3,398,000
3. Starks Contracting, Inc.	\$3,471,000
4. J/Q Contracting, Inc.	\$3,487,460
5. Addison Construction, Inc.	\$3,767,000

5. **MSU - Approved bids and award of contract in the amount of \$1,647,562 (base bid plus alternates #1-4) to the low bidder, West Brothers Construction Company, Inc. for IHL #205-187, Longest Student Health Center Additions and Renovations.** Funds are available in the amount of \$325,000 from Longest Student Health Center self-generated funds and in the amount of \$1.5 million from MSU EBC bond funds. Bids were as follows:

Contractor	Base Bid	Alternates
1. West Brothers Construction Company, Inc.	\$1,395,000	1. \$142,500 2. \$ 65,000 3. \$ 42,272 4. \$ 2,790
2. Moffett Construction Company, Inc.	\$1,440,000	1. \$156,439 2. \$ 80,950 3. \$ 42,500 4. \$ 2,800
3. Little Brothers Construction Company, Inc.	\$1,487,055	1. \$144,237 2. \$ 74,530 3. \$ 40,810 4. \$ 2,904
4. Sanderson Construction Company, Inc.	\$1,498,000	1. \$154,800 2. \$ 85,400 3. \$ 42,700 4. \$ 2,800
5. Pinnacle Construction Company, LLC	\$1,579,000	1. \$179,000 2. \$ 77,500 3. \$ 44,400 4. \$ 3,000
6. JESCO, Inc.	\$1,616,000	1. \$147,600 2. \$ 86,000 3. \$ 42,500 4. \$ 3,000
7. Conn Construction Company, Inc.	\$1,665,000	1. \$157,000 2. \$ 91,000 3. \$ 43,550 4. \$ 2,860
8. Pryor & Frazier Construction, Inc.	\$1,700,000	1. \$150,000 2. \$ 86,000 3. \$ 42,500 4. \$ 2,800

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9. Sam Oswalt & Son, Inc.	\$1,892,000	1. \$188,000 2. \$106,000 3. \$ 43,000 4. \$ 3,000
10. Ralph McKnight & Son Construction, Inc.	\$1,980,000	1. \$238,600 2. \$ 96,400 3. \$ 38,500 4. \$ 3,900

6. **UM** - Approved bids and award of contract in the amount of \$502,900 (base bid plus alternates #1-2) to the low bidder, J. O. Hooker & Sons Construction Company, Inc., for **IHL #207-202, ZTA House Renovations** for Department of Consumer Sciences. Funds are available from private donations and self-generated income. Bids were as follows:

Contractor	Base Bid	Alternates
1. J. O. Hooker & Sons Construction Company, Inc.	\$464,000	1. \$38,000 2. \$ 900
2. Mast Construction, Inc.	\$478,000	1. \$37,500 2. \$ 3,000
3. C. I. G. Contractors, Inc.	\$497,400	1. \$37,569 2. \$ 3,250
4. Jackson Construction of Grenada, Inc.	\$504,147	1. \$38,384 2. \$ 2,914
5. Panola Construction, Co., Inc.	\$536,964	1. \$35,950 2. \$ 2,000
6. Little Brothers Construction Co., Inc.	\$543,398	1. \$37,578 2. \$ 2,696
7. Seiler Building Corporation	\$560,333	1. \$38,200 2. \$ 2,400
8. Hunt Management & Construction	\$587,000	1. \$44,800 2. \$ 5,350
9. Sullivan Enterprises	\$649,000	1. \$50,000 2. \$ 2,000
10. Century Construction	\$790,000	1. \$48,000 2. \$ 9,900

7. **UM** - Approved bids and award of contract in the amount of \$2,250,000 (base bid minus alternate #3) to the low bidder J. O. Hooker & Sons Construction Company, Inc., for **IHL #207-185, LaBauve Hall Renovation** for the Trent Lott Leadership Institute. Funds are available from private donations. Bids were as follows:

Contractor	Base Bid	Alternates
1. OneSource Landscape & Golf Services, Inc.	\$49,962.13 This was a non-qualified bid.	1. No Change 2. No Change 3. No Change 4. No Change
2. Little Brothers Construction, Co, Inc.	\$2,330,228.00	1. \$ 77,385 2. \$ 52,591 3. \$ 30,870 4. \$ 39,000

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3. J. O. Hooker & Sons Construction Company, Inc.	\$2,376,000.00	1. \$ 81,000 2. \$ 52,000 3. \$126,000 4. \$ 44,000
4. The McCarty Co.—Construction Group, Inc.	\$2,460,000.00	1. \$ 73,700 2. \$ 37,000 3. \$ 29,900 4. \$ 46,270
5. Panola Construction Co., Inc.	\$2,569,000.00	1. \$ 81,000 2. \$ 40,000 3. \$ 33,000 4. \$ 60,600
6. Pryor & Frazier Construction, Inc.	\$2,586,000.00	1. \$ 81,000 2. \$ 36,500 3. \$ 53,000 4. \$ 48,500
7. Harvey C. Green Construction Co., Inc.	\$2,614,000.00	1. \$ 77,000 2. \$ 34,000 3. \$119,000 4. \$ 49,000
8. C. I. G. Contractors, Inc.	\$2,829,000.00	1. \$ 79,600 2. \$ 40,050 3. \$ 38,100 4. \$ 66,200

8. **USM** - Approved bids and award of contract in the amount of \$894,422 (negotiated reduction of \$44,578 from the original bid) to the low bidder, Addison Construction Company, for **GS #108-170, Visualization Center, Stennis Space Center**, and request approval by the Bureau of Buildings. All bids exceeded available funding. The lowest and best bid of \$939,000 was submitted by Addison Construction. Funds are available in the amount of \$999,699 from H.B. 1843, Laws of 1997. Bids were as follows:

Contractor	Base Bid
1. Addison Construction, Inc.	\$939,000
2. Starks Contracting Co., Inc.	\$982,000
3. G. M. & R. Construction Co., Inc.	\$996,000
4. J. W. Puckett & Company, Inc.	\$1,033,000
5. Harvison-Dewitt Construction	\$1,068,000
6. J/Q Contracting, Inc.	\$1,076,624
7. Fletcher Construction Co., Inc.	\$1,085,000
8. Casablanca Construction, Inc.	\$1,095,000
9. W. E. Davis & Sons Construction, Inc.	\$1,110,000
10. Dan Hensarling, Inc.	\$1,119,000
11. K. E. L. Construction Co., Inc.	\$1,283,450

9. **USM** - Approved bids and award of contract in the amount of \$4,926,500 (base bid minus alternates #1-2) to the low bidder, Finlo Construction Company, for **GS #108-185, Polymer Science Renovation**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$6 million from H.B. 1675, Laws of 1999. Bids were as follows:

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Contractor	Base Bid	Alternates
1. Finlo Construction Co., Inc.	\$5,620,000 (Base bid \$5,729,000 less \$109,000 written on outside of envelope.)	1. (\$570,000) 2. (\$123,500)
2. Mac's Construction Company, Inc.	\$5,764,100 (Base bid \$5,797,100 less \$33,000 written on outside of envelope.)	1. (\$582,300) 2. (\$121,000)
3. Addison construction, Inc.	\$6,165,000	1. (\$585,000) 2. (\$135,000)
4. Coastal Builders, Inc.	\$6,212,500 (Base bid \$6,360,000 less \$147,500 written on outside of envelope.)	1. (\$650,000) 2. (\$ 11,700)
5. Benchmark Construction Corporation	\$6,230,000	1. (\$515,000) 2. (\$126,500)
6. Larry J. Sumrall Contractors, Inc.	\$6,298,000	1. (\$602,000) 2. (\$144,000)

10. **MUW** - Approved construction documents for **GS #104-130, Martin Hall Renovation**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$21,800 from S.B. 3254, Laws of 1998, and in the amount of \$399,867.72 from H.B. 1675, Laws of 1999, for a total budget of \$421,667.72.
11. **UM** - Approved construction documents and authorize advertisement for the receipt of bids for **IHL #207-212, Stewart Hall Renovations**. The estimated cost of construction is \$2,610,000. Funds are available in the amount of \$3 million from auxiliary self-generated funds and EBC bond proceeds.
12. **UM** - Approved construction documents and authorize advertisement for the receipt of bids for **IHL #207-209, Village Apartment Renovation-Phase II**. Funds are available in the amount of \$300,000 from auxiliary self-generated income.
13. **UMMC** - Approved contract documents and authorize the advertisement for the receipt of bids for **GS #109-180, Preplan Classroom Facility**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$3.5 million from S.B. 3315, Laws of 2000.
14. **USM** - Approved construction documents and authorize advertisement for the receipt of bids for **IHL #210-232, Cedar Point Campus-Shrimp Sea Water Shared System**. Funds are available in the amount of \$800,000 from S.B. 3315, Laws of 2000.
15. **MSU** - Approved equipment specifications, cost estimates for procurement, and request approval by the Bureau of Buildings for **Furniture & Equipment Life Sciences & Biotech/CVM Equipment, GS #113-098**. Funds are available in the amount of \$1 million from S.B. 3158, Laws of 2001.

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16. **MSU** - Approved request to remove from inventory the following three buildings located at the Animal Research Center, South Farm. These buildings have deteriorated and are beyond economical renovation. They will be dismantled and any usable material salvaged.
 - a. Building 1157 - MAFES Rearing Laboratory, 300 sq. ft., metal construction, built in 1967 at a cost of \$1,370.
 - b. Building 1192 - MAFES Rearing Laboratory, 300 sq. ft., metal construction, built in 1967 at a cost of \$1,370.
 - c. Building 1197 - MAFES ARC Metabolism Building, 360 sq. ft., metal construction, built in 1977 at a cost of \$5,154.
17. **MSU** - Approved request to remove from inventory the following eight buildings located at the Prairie Research Unit. These buildings have deteriorated and are beyond economical renovation. They will be dismantled and any usable material salvaged.
 - a. Buildings 1457, 1458, 1460, 1461, 1463, 1466, and 1467. Each building was acquired with the station and was built in 1943. Each building is 14,000 sq. ft. and was constructed of wood and metal at a cost of \$40,000. The buildings are currently used for storage purposes.
18. **MUW** - Approved final payment to the contractor, request to accept **GS #104-131, Communications/Columbus Hall**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$3,146,357 through the Bureau of Buildings.
19. **MUW** - Approved final payment to the contractor, request to accept **GS #104-121, Columbus Hall Renovation**, and request approval by the Bureau of Buildings. Funds are available in the amount \$3,146,357 through the Bureau of Buildings.
20. **MUW** - Approved final payment to the contractor, request to accept **GS #104-133, Communications/Puckett House**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$33,500 through the Bureau of Buildings.
21. **MUW** - Approved final payment to the contractor, request to accept **GS #104-126, Puckett House Renovation**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$696,914 through the Bureau of Buildings.
22. **UM** - Approved the exchange of 40 acres of land owned by the University for 40 acres of land of equal value owned by Mr. A. C. Shattles, as part of the previously approved sale of approximately 23,000 acres of land in South Mississippi (the Forest Lands) to the U. S. Forest Service. Also, approved authorizing the Chancellor and the Vice Chancellor for Administration and Finance to execute appropriate legal instruments for this exchange.

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23. **UM** - Approved execution of a new lease agreement with Mississippi Alpha Housing Corporation of Sigma Phi Epsilon Fraternity for Lot #309 for an initial term of fifty years and granted approval to the House Corporation to execute a deed of Trust on this property. The lease is requested to refinance their loan with AmSouth Bank.
24. **UM** - Approved execution of a new lease agreement with Nu Beta House Corporation of Alpha Omicron Pi Fraternity for an initial period of fifty years, with a right of renewal for an additional twenty-five year term. The current lease on Lot #250 expires in May 2002.
25. **UM** - Approved execution of a new lease agreement with the Phi Kappa Tau House Corporation for an initial term of fifty years, with a right of renewal for an additional twenty-five year term, and granted approval to the House Corporation to execute a deed of trust of leasehold interest to secure a loan not to exceed \$200,000.
26. **UMMC** - Approved request to sell 2.3055 acres of land in the amount of \$600,000 to St. Dominic/Jackson Memorial Hospital. The average of two appraisals on the property is \$540,000.
27. **UMMC** - Approved resolution authorizing the Medical Center EBC to issue and sell Revenue Refunding Bonds, Series 2002 in the maximum principal amount of \$5 million, approved appointment of the law firm of Watkins Ludlam Winter & Stennis, P.A. as bond counsel, and approved fees for this service not to exceed \$32,000 which includes expenses.
28. **USM** - Approved request to appoint Salomon Smith Barney as bond underwriter and to proceed with the sale of bonds in the amount of \$17 million to finance the construction of the Student Life Center and College of International and Continuing Education Building.
29. **System Administration** - Approved amendment to the *Board Policies and Bylaws*—Section 901.06 Energy Performance Contracts—as follows:

901.06 Energy Performance Contracts

Board approval is required prior to commencing audits to be used for performance contracting. The Commissioner shall develop procedures governing the process to insure a formal RFP procedure is used; verification of savings by a third party, and involvement of the Board Office Staff in all aspects of the project.

Mr. Griffis passed the chairmanship of the Board meeting to Dr. Thomas Layzell for consideration of the Personnel/Foreign Travel Agenda.

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PERSONNEL/FOREIGN TRAVEL AGENDA

Presented by Dr. Thomas Layzell

On motion by Mr. Ross, seconded by Ms. Whitten, with Mr. Crawford and Dr. Davidson absent and not voting, it was

RESOLVED, That the Board hereby approves the employment of personnel items, the change of status items, agenda item #2, and the nullification of employment item as submitted on the following Personnel/Foreign Travel Agenda. The termination of employment items were approved on a separate motion by Mr. Klumb, seconded by Ms. Garrett, with Mr. Crawford and Dr. Davidson absent and not voting. The leave of absence items were approved on a separate motion by Dr. Neely, seconded by Mr. Nicholson, with Mr. Crawford and Dr. Davidson absent and not voting. The extension of contract items were approved on a separate motion by Mr. Nicholson, seconded by Mr. Ross, with Mr. Crawford and Dr. Davidson absent and not voting. The sabbatical leave items were approved on a separate motion by Ms. Garrett, seconded by Mr. Ross, with Mr. Crawford and Dr. Davidson absent and not voting. Agenda item #3 was approved on a separate motion by Mr. Klumb, seconded by Mr. Colbert, with Mr. Crawford and Dr. Davidson absent and not voting. The emeritus status and necrology of personnel items were approved on a separate motion by Mr. Nicholson, seconded by Mr. Klumb, with Mr. Crawford and Dr. Davidson absent and not voting.

1. PERSONNEL REPORT

EMPLOYMENT

Delta State University - Athletics

Rhoades, Richard

Jackson State University

Liang, Xuejun

Mississippi State University

Bristow, William V.

Burgess, Shane C.

Camus, Alvin C.

Choe, Song-Yul

Coltharp, David R.

Duffy, Vincent G.

Edwards, Thomas E.

Hu, Qing Yang

Hunter, Steve L.

Jin, Mingzhou

Rezek, Jon P.

Rowland, Zachary L.

Skelton, Judson H.

Mississippi Valley State University

Brookhart, Jess M.

University of Mississippi

Altinakar, Mustafa S.

Aten, L. Michelle

Bullard, Mercer

Church, Charles

Van Ness, Bonnie F.

Van Ness, Robert A.

White, Wayne

University of Mississippi - Athletics

Getzin, Joe

University of Mississippi Medical Center

Burns, Elizabeth C.

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Egeland, Rodger D.
LeBrun, Christopher J.
Minocha, Anil
Zakaria, El Rasheid

Jackson State University

Collier, Lula
Jeffries, Christopher
McDaniel-Suggs, Barbara
Morgan, Clyde

NULLIFICATION OF EMPLOYMENT

University of Mississippi Medical Center

Lee, Catherine H.
Warren, Richard B., Jr.

Mississippi State University

Bartlett, Jack L.
Black, Sharon S.
Bluhm, Louis H.
Brown, Lewis R.
Obert, Terry L.
Reed, Charles W.

CHANGE OF STATUS

University of Mississippi Medical Center

Raila, Frank A.
Wahba, Albert J.
Wiser, Winfred L.

Mississippi Valley State University

Fischer, Michael
Hicks, Anna
Trotter, Bennie

System Administration

Alley, Frank D.

University of Mississippi

Boylan, Richard T.
Bryan, Barry J.
Landis, Daniel
Thorne, Robert M.
Williams, Max W.

TERMINATION

Alcorn State University - Athletics

Jefferson, Clyde

University of Mississippi Medical Center

Cole, Peter Alexander
King, Coleman T.
Tang, Jiping

Delta State University

Abrahams, Carol
Ayers, Eugene J.
Barnwell, Marion
Loewen, Gregory Victor
Rifle, Kathryn L.
Wicks, Amelia
Williams, Rosie
Woodall, Frederick E.

University of Southern Mississippi

Stamper, Anita
Stewart, John W.

Delta State University - Athletics

Campbell, Steven M.
Mathews, Gwaine

LEAVE OF ABSENCE

Alcorn State University

Buchanan, John, III

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Delta State University

Abel, Jessica W.

University of Southern Mississippi

Pierce, Robert D., III

EMERITA/EMERITUS STATUS

University of Southern Mississippi

Bedenbaugh, John H.

NECROLOGY

University of Mississippi Medical Center

Wiener, William B.

CONTRACT EXTENSIONS

Jackson State University - Athletics

Hughes, Robert

Mississippi State University - Athletics

McGuire, Neil

Sherrill, Jackie

University of Southern Mississippi

Bower, Jeffrey J.

Giannini, Richard C.

McNutt, Rebecca G.

SABBATICAL LEAVE

Delta State University

Rushing, Kim

Jackson State University

Malluhi, Qutaibah

Mississippi State University

Breaux, David A.

Bridges, Susan M.

Coffey, Kenneth M.

Funderburk, Thomas B.

Mixon, Jamie B.

Shivaji, Ratnasingham

Travis, Rickey L.

Wipf, David O.

Wood, Peter B.

Xu, Xiangsheng

Mississippi Valley State University

Chappell, Larry

University of Mississippi

Barnes, Richard L.

Bass, Henry E.

Bruce, John M.

Cloy, John D.

Coles, Felice A.

Cox, Larry A.

Czarnetzky, John M.

Dyer, Donald L.

Field, Lester L., Jr.

Fisher-Wirth, Ann

Flesher, Tonya K.

Grayzel, Susan R.

Grisham, Vaughn L.

Hall, Timothy L.

Hargrove, David S.

Labuda, Iwo

Marshall, Thomas C.

Ownby, Ted M.

Paterson, Alan L. T.

Raber, Karen

Temple, Paula

Watson, Judson D., III

Wilder, W. Mark

Williamson, John S.

Zjawiony, Jordan K.

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University of Southern Mississippi

Burr, Ronald L.
Contreras, Jose A.
Cuellar, Norma G.
Gwozdz, Lawrence S.
Hartman, Sherry
Jensen, Robert Geoffrey
Klinedinst, Mark

Lux, Mary
Mixon, Franklin G., Jr.
Nelson, Janet S.
Panella, Lawrence M.
Polk, Noel
Redfield, Stephen C.
Ryan, Maureen

2. **System Administration** - Approved agenda items considered subsequent to the January 17, 2002 Board Meetings, as follows:
 - a. **MVSU** - Approved employment of the following athletic personnel: Shawn E. Gregory.
 - b. **UMMC** - Approved employment of Thomas J. Lomas.
3. **System Administration** - Approved foreign travel as follows:

FOREIGN TRAVEL

Alcorn State University

Bhuiyan, Serajul I.
Huam, Liang
Whittaker, Wesley

Turku, Finland
Portland, Jamaica
Portland, Jamaica

Mississippi State University

Amburgey, Terry L.
Arnault, Lynn S.
Barnes, Hoyt Michael
Brasher, Karen
Caprio, Michael
Cosby, Arthur G.
Creech, John B.
Dibble, Eric D.
Diehl, Susan V.
Eamon, Christopher
Engelland, Brian T.
Ezell, Andrew W.
Ferrer-Montano, Orlando (Student)
Gill, Duane A.
Hanson, Terrill R.
Hashim, Rohasliney (Student)
Helms, Thomas J.

Hilo, Hawaii
Honolulu, Hawaii
Cardiff, South Wales, United Kingdom
Humacao, Puerto Rico
Kula Lumpur, Malaysia
Rome, Bari and Catania, Italy
Nanjing, Jiangsu, China
Humacao, Puerto Rico
Prague, Czech Republic
Osaka, Japan
Grenoble, France
Vejle, Denmark
Humacao, Puerto Rico
Rome, Bari and Catania, Italy
St. Croix, Virgin Islands and Mayaguez, Puerto Rico
Humacao, Puerto Rico
Colima, Mexico

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Hogue, S. Homes
Jackson, Donald C.
Jacobs, Paul F.
Jamil, Hasan
Kanter, Dwight G.
Kolakowska, Alice K.
Krans, Jeffrey V.
Love, Joey (Student)
Meloch, Christa R.
Millea, Meghan
Moore, J. Elton
Mullen, Eve L.
Myroie, John E.
Olive, Jason (Student)
Pankajakshan, Ramesh
Panuska, Bruce

Parisi, Domenico
Rodgers, Rudy E.
Sanders, Michael G.
Shephard, Sam (Student)
Silva, Juan Luis
Thomas, Matt (Student)
Thornton, Mitchell A.
Watson, Vance H.
Zellers, Sarah D.

Mississippi University for Women

Longton, T. Michael

University of Mississippi

Bass, Henry
Baumbaugh, Rachel
Bullion, Stuart
Byrnes, Brett
Falconer, Allan
Hale, E. F.
Holder, Allen
Khan, Ikhlas
Kolassa, Mick
Landis, Dan

Durham, United Kingdom
Humacao, Puerto Rico
Heraklion, Crete, Greece
Madrid, Spain and Venice, Italy
San Juan, Rio Piedras and Lajas, Puerto Rico
Madrid, Spain
Tokyo, Japan
Cuernavaca, Mexico
Fredricktown, New Brunswick, Canada
Cancun, Mexico
Toronto, Ontario, Canada
Calcutta, India
Eleuthera Island, Bahamas
Humacao, Puerto Rico
Fukuoka, Japan
Eleuthera Island, Bahamas and Fredricktown, New Brunswick, Canada
Rome, Bari, and Catania, Italy
Yokohama, Japan
Hilo, Hawaii
Humacao, Puerto Rico
Mayaguez, Puerto Rico
Humacao, Puerto Rico
Paris, France
Colima, Mexico
Fredricktown, New Brunswick, Canada

Cuernavaca, Mexico

Singapore and Palau, Australia
Manchester, Great Britain
Paris, France
Santiago, Chile
Buenos Aires, Argentina
Melbourne, Australia
Brussels, Belgium
Hong Kong, China and Zurich, Switzerland
Auckland, New Zealand
Hilo and Honolulu, Hawaii

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Miller, Robin
Roach, David
Vitell, Scott
Wang, Haibo
Wang, Sam
Woolsey, Robert

Manchester, Great Britain
Manchester, Great Britain
Hong Kong, China
Manchester, Great Britain
Cairo and Alexandria, Egypt
Belize City, Belize

University of Mississippi Medical Center

Badr, Ahmed
Boss, Barbara
Geissler, William B.
Haines, Duane
Halaris, Angelos
Hashimoto, Luis
Ho, I. K.
Hymel, Paula
Kendig, Ronald
Ma, Terence
Megason, Gail
Rajkowska, Grazyna
Robinson, Anita
Shure, Deborah
Tarquinio, Thom
Woolverton, William

Brussels, Belgium
Kona, Hawaii
Whistler, British Columbia, Canada
Maastricht, The Netherlands
Kahala Coast, Hawaii and Taormina, Sicily, Italy
Lima, Peru
Taipei, Taiwan
Cancun, Mexico
New Delhi, India
Moscow, Russia
Alberta, Canada
Montreal, Ontario, Canada
Alberta, Canada
San Juan, Puerto Rico
Florence, Italy
Quebec, Canada

University of Southern Mississippi

Barbor, Kenneth
Barrett, Bettie C.
Bettencourt, Matthew
Caruthers, Jerald
Fortunato, Vincent
Hamwi, Iskandar
Hawkins, William
Isbell, Judy
Kudisch, Jeffrey
Lea, James F.
Lotz, Jeffrey
Lytle, Julia
Lytle, Thomas
Miller, Mark
Overstreet, Robin

England and Monaco
Europe
Scotland
London
Canada
France
China
London
Canada
England and France
China
Belize
Belize
Cuba
Canada

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Quarnstrom, Blaine	England
Ryan, Maureen	Canada
Sterling-Turner, Heather	Canada
Stringer, Mary Ann	England
Tegeder, Joseph (Student)	Britain
Thompson, Janice	Europe
Wiesenburg, Denis	England, Monaco, and Canada
Williams, Alvin	South Africa and Venezuela

System Administration - Emergency approval of foreign travel was granted by Commissioner Thomas D. Layzell per *Board Policy* 705.0103 for the following:

Jackson State University

Hagelberg, Frank	Going, Australia
Malluhi, Quitaibah	Toronto, Ontario, Canada

Mississippi State University

Amro, Hanan	Copenhagen, Denmark
Cosby, Arthur G.	San Jose, Costa Rica
King, Roger	Toronto, Ontario, Canada
Soni, Bharat	Honolulu, Hawaii

Mississippi University for Women

Jackson, Jane Ellen	London, England
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University of Mississippi

Adams, Kimberly S. (Student)	Salzburg, Austria
Bass, Henry	Honolulu, Hawaii
Burandt, Charles	Barquisimeto, Venezuela
Gaston, Gary	Belize City, Belize
Goulet, Denis	Belize City, Belize
Halda-Alija, Lidija	Prague, Czech Republic and Berlin, Germany
Hamann, Mark	Madrid, Spain
McLaughlin, Richard	Belmopan, Belize
Sharpe, Peggy	Havana, Cuba
Sheridan, Peter	Belize City, Belize
Walker, Larry	Lima and Iquitos, Peru
Wilkins, William T.	Belmopan, Belize

4. **System Administration** - Accepted the Quarterly Employment Report for the quarter ending December 31, 2001. A copy of the report is in the bound *February 21, 2002 Board Working File*.

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UNANIMOUS CONSENT AGENDA

Presented by Dr. Thomas Layzell

On motion by Ms. Whitten, seconded by Dr. Neely, with Mr. Crawford and Dr. Davidson absent and not voting, it was

RESOLVED, That the Board hereby approves agenda items #1 - #4 as submitted on the Unanimous Consent Agenda. Agenda item #5 was approved on a separate motion by Dr. Neely, seconded by Mr. Nicholson, with Mr. Crawford and Dr. Davidson absent and not voting. Agenda items #6 - #8 were approved on a separate motion by Mr. Klumb, seconded by Mr. Colbert, with Mr. Crawford and Dr. Davidson absent and not voting.

1. **ASU** - Approved bids and award of contract in the amount of \$7,944,300 to the low bidder, Benchmark Construction Group, for **GS #101-222, Business Administration Building**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$9.5 million from S.B. 3315, Laws of 2000. Bids were as follows:

Contractor	Base Bid	Alternates
1. Benchmark Construction Group	\$7,944,300	1. (\$120,000) 2. (\$118,000) 3. (\$ 76,000) 4. (\$ 32,000) 5. (\$ 93,150)
2. Clark Construction Co., Inc.	\$8,156,000	1. (\$155,000) 2. (\$219,000) 3. (\$ 86,000) 4. (\$138,000) 5. (\$ 97,000)
3. Paul Jackson & Son, Inc.	\$8,580,000	1. (\$210,000) 2. (\$190,000) 3. (\$ 55,000) 4. (\$125,000) 5. (\$ 96,000)
4. Harrell Construction Group	\$8,484,000	1. (\$190,000) 2. (\$250,000) 3. (\$128,000) 4. (\$120,000) 5. (\$ 94,000)
5. W. G. Yates & Sons Construction	\$8,697,000	1. (\$215,000) 2. (\$225,000) 3. (\$110,000) 4. (\$170,000) 5. (\$ 98,000)
6. Lincoln Builders	\$9,731,000	1. (\$185,000) 2. (\$230,000) 3. (\$ 70,000) 4. (\$115,000) 5. (\$ 90,000)

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2. **UM** - Approved termination of the following athletic personnel: Reginald W. Herring.
3. **UM** - Approved employment of the following athletic personnel: Charles Driesbach and Chris Groer.
4. **MUW** - Approved bids and award of contracts in the amount of \$362,444 to the low bidder, D. H. Griffin Wrecking Company, Inc. for **GS #104-138, Magnolia Hall Demolition**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$660,000 from S.B. 3158, Laws of 2001. Bids were as follows:

Contractor	Base Bid
1. D. H. Griffin Wrecking Company, Inc.	\$362,444
2. Gulf Services Contracting, Inc.	\$366,770
3. Virginia Wrecking Company, Inc.	\$388,399
4. Century Construction and Realty, Inc.	\$419,000
5. Backlund & Associates	\$427,798
6. Champion Excavation Services, Inc.	\$475,000
7. McLea Developers dba Leach Construction	\$480,135
8. A & A Demolition Co., Inc	\$547,200
No Certificate of Responsibility. None Responsive.	
9. Tristar of America, Inc.	\$587,000

5. **UMMC** - Approved ratification of the Master of Combined Science degrees awarded since 1982. Approved reactivation of the Master of Combined Science degree program. Also, approved request to change the name and CIP number of the Master of Combined Science degree (CIP 30.0101) to the Master of Science degree with a major in biomedical sciences (CIP 51.1399).
6. **JSU** - Approved bids and award of contract in the amount of \$13,938,000 to the low bidder, Harrell Construction Group, LLC. for **GS #103-178, School of Business Project**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$20 million from S.B. 1675, Laws of 1999, and from S.B. 3158, Laws of 2001. Bids were as follows:

Contractor	Base Bid	Alternates
1. Harrell Construction Group, LLC	\$13,938,000	1. (\$220,000)
	(Base bid \$13,948,000	2. (\$ 1,500)
	less \$10,000 written	3. (\$140,000)
	on outside of envelope.)	4a. (\$ 50,000)
		4b. (\$ 43,000)
2. C. E. Frazier Construction Company, Inc.	\$14,150,000	5. (\$195,000)
		1. (\$235,500)
		2. (\$ 50,500)
		3. (\$161,500)
		4a. (\$ 31,500)
		4b. (\$ 70,000)
		5. (\$189,000)

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- | | | |
|---|--|--|
| 3. Carothers Construction, Inc. | \$14,192,000 | 1. (\$228,000)
2. (\$ 50,000)
3. (\$192,000)
4a. (\$119,000)
4b. (\$ 94,000)
5. (\$253,000) |
| 4. Charles N. White Construction Company | \$14,340,000 | 1. (\$215,000)
2. (\$ 32,000)
3. (\$185,000)
4a. (\$ 60,000)
4b. (\$ 40,000)
5. (\$200,000) |
| 5. W. G. Yates Construction Company | \$14,787,000
(Base bid \$14,837,000
less \$50,000 written
on outside of envelope.) | 1. (\$250,000)
2. (\$ 50,000)
3. (\$180,000)
4a. (\$ 60,000)
4b. (\$ 50,000)
5. (\$ 55,000) |
| 6. Roy Anderson Corp. | \$14,890,000
(Base bid \$14,940,000
less \$50,000 written
on outside of envelope.) | 1. (\$190,000)
2. (\$ 41,000)
3. (\$191,000)
4a. (\$ 87,000)
4b. (\$ 48,000)
5. (\$206,000) |
| 7. Evan Johnson & Sons Construction, Inc. | \$15,379,000
(Base bid \$15,479,000
less \$100,000 written
on outside of envelope.) | 1. (\$220,000)
2. (\$ 53,500)
3. (\$185,000)
4a. (\$ 75,000)
4b. (\$ 10,000)
5. (\$200,000) |
| 8. Fountain Construction Co., Inc. | \$15,385,000
(Base bid \$15,510,000
less \$125,000 written
on outside of envelope.) | 1. (\$173,000)
2. (\$ 51,000)
3. (\$ 46,000)
4a. (\$ 64,000)
4b. (\$ 60,000)
5. (\$174,000) |
7. **MUW** - Approved Change Order #1 in the amount of \$1,836,135 for **GS #104-125, Parkinson Hall**, and request approval by the Bureau of Buildings. The change order will make structural repairs. Funds are available from a transfer from South Callaway Hall, GS #104-128, provided by S.B. 3254, Laws of 1998.
8. **UM** - Approved request to retain Robert C. Galloway of Butler Snow O'Mara Stevens & Cannada as outside counsel for the Mississippi Space Commerce Initiative (MSCI). William H. Durham has sued MSCI for an alleged breach of a lease agreement.

Dr. Layzell passed the chairmanship of the Board meeting to Ms. Ricki Garrett for consideration of the Legal Agenda.

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LEGAL AGENDA

Ms. Ricki Garrett, Chair

On motion by Ms. Whitten, seconded by Ms. Newton, with Mr. Crawford and Dr. Davidson absent and not voting, it was

RESOLVED, That the Board hereby approves agenda items #1 - #3 as submitted on the following Legal Agenda. **AGENDA ITEM #4 WAS PULLED FROM THE AGENDA.**

1. **System Administration (Information item.)** - Payment of legal fees.
 - a. Approved payment of legal fees to outside counsel in relation to litigation and other matters, as follows:
Payment of legal fees for professional services rendered by Bryan, Nelson, Randolph and Weathers (Statement dated 12/5/01) from the funds of The University of Southern Mississippi. (This statement represents services and expenses in connection with the *Williams* case.)

TOTAL DUE \$165.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 12/1/01 and 1/8/02) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$543.50 and \$34.00, respectively, represent services and expenses in connection with the General Advice file.)

TOTAL DUE \$577.50

Payment of legal fees for professional services rendered by Stubblefield Harvey & Shivers (Statements dated 12/17/01) from the funds of the University of Mississippi Medical Center. (These statements, represent services and expenses in connection with the following cases: *Berthelsen* - \$731.28; *General* - \$169.84; *Phillips* - \$202.90; *Breeden* - \$983.89, *Thoma* - \$71.18; *Allen* - \$322.65; *Thompson* - \$1,340.80; and *Shack* - \$201.50.)

TOTAL DUE \$4,024.04

Payment of legal fees for professional services rendered by Wells, Moore, Simpson & Hubbard (Statement dated 1/2/02) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the *Salter* case.)

TOTAL DUE \$987.14

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Payment of legal fees for professional services rendered by Adams & Reese (Statements dated 12/14/02) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following cases: *Rea* - \$3,520.01 and *Wilson* - \$508.00.)

TOTAL DUE \$4,028.01

Payment of legal fees for professional services rendered by McCalla, Thompson, Pyburn, Hymowitz & Shapiro (Statement dated 12/27/01) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the *Thompson* case.)

TOTAL DUE \$1,683.00

Payment of legal fees for professional services rendered by Dogan & Wilkinson (Statement dated 1/4/02) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with the forest lands.)

TOTAL DUE \$472.00

Payment of legal fees for professional services rendered by Sims Moss Kline & Davis (Statement dated 1/9/02) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the *Business Computer Applications, Inc.* case.)

TOTAL DUE \$2,396.81

- b. Approved payment of legal fees to outside counsel in relation to patent matters, as follows:
Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 9/28/01, 10/10/01, 11/12/01, and 12/7/01) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with patent applications for the School of Pharmacy.)

TOTAL DUE \$24,229.64

Payment of legal fees for professional services rendered by Piper Marbury Rudnick & Wolfe (Statements dated 11/19/01, 11/19/01, 11/19/01, 11/19/01, and 11/21/01) from the funds of Mississippi State University. (These statements represent services and expenses in connection with various patent applications.)

TOTAL DUE \$6,272.27

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Payment of legal fees for professional services rendered by Needle & Rosenberg (Statements dated 12/19/01) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with various patent applications.)

TOTAL DUE \$2,334.17

- c. Approved payment of legal fees to outside counsel in relation to litigation and other matters, as follows:

Approved payment of legal fees for professional services rendered by Watkins Ludlam Winter & Stennis (Statement dated 11/8/01) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the Series 2001 EBC Bond Issue for the Adult Hospital Project.)

TOTAL DUE \$964.02

2. **System Administration. (Information item.)** - Approved, upon review and recommendation of the Office of the Attorney General, the Litigation Report for February 1, 2002. The report is included in the bound *February 21, 2002 Board Working File*.
3. **System Administration** - Approved amendment to the AG/IHL Contract for Legal Services for FY 2002 to reflect a reduction of \$16,630.62 in the contract amount. This proposed reduction reflects reduced working hours of one attorney and a pro rata reduction in salary. The original contract amount was \$339,192.64. The revised contract amount will be \$322,562.02.
4. **System Administration** - Laws concerning consumption of alcohol, beer, and wine on campus. **THIS ITEM WAS PULLED FROM THE AGENDA.**

Ms. Garrett passed the chairmanship of the Board meeting to Dr. Clinton Bristow for a report of the Presidents' Council activities.

PRESIDENTS' COUNCIL

Dr. Clinton Bristow, Jr., President

Wednesday, February 20, 2002

Call to Order

President Bristow convened the meeting with announcements and an executive session.

Announcement: A group of presidents, including Drs. Bristow, Khayat, Mason and Potter, and Dr. McHenry of the IHL staff will meet on March 25 with the director of the National Science Foundation to discuss the

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Mississippi Alliance for Minority Participation program. At issue is the institutional match required to support this program. The group will be seeking a reduction in the match requirement.

I. FY2003 Budget

Commissioner Layzell reviewed the current FY03 budget situation. Legislators are considering a bill that would accelerate electronic collection of revenues. The process would generate approximately \$19.5 million in funds for higher education. In response to a question as to whether this increase will be spread over agriculture, veterinary medicine and medical units, Dr. Layzell indicated that these units would be treated separately. The Board staff is supporting this legislation and asks that presidents do likewise. He reported that K-12 lobbyists are trying to advocate consideration of a tax bill. Dr. Khayat reminded the group that a precedent existed in the state for adopting an emergency tax for education. He gave, as an example, a proposal to increase the state tax percentage for the highest income group, raising it from 5 to 6 percent. This proposal would generate approximately \$150 million. If it were to be considered and adopted, it could include a strict sunset clause limiting the period of its application.

The document developed by Board staff and distributed to legislators has been effective. This summary of cuts demonstrates the extent to which institutional resources have declined. A new version of the document is being prepared to show that the cuts have reduced state support for higher education below levels of 1995.

II. FY2003 Tuition and Fees

Dr. Layzell reminded the group about Board member Scott Ross's concern about tuition differentiation. Discussion ensued about various kinds of differentiation, including by major and by course level, and between undergraduate and graduate programs. Also discussed was the flat rate per credit hour option. Dr. Layzell presented data on the number of credit hours taken by students within the system. Members noted concerns expressed by students regarding any proposed change in the credit hour limit. A suggestion was made to consider placing a limit on the number of credit hours permitted to pursue a degree. The Commissioner indicated that options should be presented to the Board at its March meeting. He advised against proposing that institutions have different percentage increases, and he noted the need to revisit the institutions' discount rates, especially for out-of-state students. Members expressed concern about the impact of changing these rates for graduate programs.

Dr. Layzell encouraged presidents to offer comments and suggestions related to the various options in the meantime. In doing so, the presidents need to take into account the opinions of their institutional constituents. This solicitation of support from constituents should occur fully once a tuition plan has been determined and presented to the Board.

III. Management Report

Dr. Layzell presented a new draft of the management report. A final version will be presented to the

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Board at its March meeting, to be implemented during the upcoming fiscal year. The report organized indicators of quality within the framework of Board's goals, listing several measures of achievement related to each goal. The Commissioner asked presidents to review these measures and offer comments and suggestions prior to the next meeting about how to improve the document. He indicated that some qualitative statements might be needed, perhaps in narrative form. He observed that the current version contains few outcome measures. The final document also needs to have a section on financial measures, using those already available from the Board staff. The report will be placed in a loose leaf binder to signify that changes can and will be made as new indicators are established.

Members questioned the naming of the report, suggesting that it did not serve as a management report but rather provided executive information. One possibility recommended is to describe it as a quality indicators report.

IV. Institutional Missions

Dr. Layzell distributed materials on institutional missions, including an assignment that each president prepare a revised mission statement. The materials are based on the Georgia system approach, which includes statements of mission shared by all institutions as well as differentiated missions for each. Dr. Layzell suggested that the presidents might begin revising their statements by referring to the one-page mission documents presented to the Board a few years ago. Drafts for each institution will be reviewed at the March Council of Presidents meeting.

V. Consolidated Computing Activities

Dr. Layzell reported on efforts to consolidate computing services and administrative systems support. The staff is seeking clearance to establish a sole-source agreement with Banner for all institutions using this system. Discussions are underway with SCT to determine what benefits might be achieved through this approach. A consultant has been selected to help develop an RFP with options for consolidating services among the smaller institutions. A proposal will likely be forthcoming at the April Board meeting.

VI. Ayers Funding

Dr. Khayat reminded the group of the commitment made to secure a private endowment for the historically black universities under the Ayers Settlement Agreement. While he and Dr. Portera had made the initial commitment to seek private funds for this purpose, the other presidents at the time had indicated an interest in being part of this effort. Dr. Khayat recommended targeting national foundations and companies who might contribute to this endowment, focusing on organizations that had not historically supported Mississippi institutions. He suggested that each president might identify potential contacts, recognizing that these contacts would not normally be part of an institutional fund-raising effort. Senator Trent Lott has agreed to help provide access to national sources through a letter of introduction. The proposed plan calls for a five-year effort, raising \$7 million per year.

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Questions were raised about the feasibility of differentiating between institutional and Ayers endowment contributors, about the role of the historically black university presidents, and about the locus of responsibility for the fund-raising program. The language in the Ayers Settlement Agreement indicates that the state will raise these funds, with the implication that the Board will take the lead in establishing the program. Discussion of this issue will continue at future Council meetings.

There being no further business, the meeting was adjourned.

Dr. Bristow passed the chairmanship of the Board meeting to Ms. Ricki Garrett for a report on the activities of the Mississippi University for Women Presidential Search Committee.

**MISSISSIPPI UNIVERSITY FOR WOMEN
PRESIDENTIAL SEARCH COMMITTEE**

Ms. Ricki Garrett, Chair

Ms. Garrett stated that the MUW Search Committee met yesterday to consider the list of candidates recommended by the MUW Campus Advisory Committee for first-round interviews in Jackson. The first-round interviews will occur on March 2 and 3 in Jackson, MS. Ms. Garrett asked that all Board members be present for the interviews.

Ms. Garrett passed the chairmanship of the Board meeting to Ms. Virginia Shanteau Newton for a report on the activities of the University of Southern Mississippi Presidential Search Committee.

**UNIVERSITY OF SOUTHERN MISSISSIPPI
PRESIDENTIAL SEARCH COMMITTEE**

Ms. Virginia Shanteau Newton, Chair

Ms. Newton stated that the USM Search Committee met yesterday to consider the list of candidates recommended by the USM Campus Advisory Committee for first-round interviews. The first-round interviews will occur on March 14 and 15 in Jackson, MS. Ms. Newton asked that all Board members be present for the interviews.

Ms. Newton passed the chairmanship of the Board meeting to Mr. Carl Nicholson for consideration of the Mississippi State University Presidential Search Committee.

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**MISSISSIPPI STATE UNIVERSITY
PRESIDENTIAL SEARCH COMMITTEE**

Mr. Carl Nicholson, Chair

Mr. Nicholson announced that the MSU Search Committee will meet immediately following the Board meeting. The Search Committee will interview a potential search consultant, will vote on the hiring of a search consultant, and discuss the Campus Advisory Committee.

Mr. Nicholson passed the chairmanship of the Board meeting to Mr. Thomas Colbert for consideration of the Efficiencies Task Force Committee.

EFFICIENCIES TASK FORCE COMMITTEE

Mr. Thomas Colbert, Chair

1. Mr. Colbert announced that at the April Board meeting the Committee will come forward with a report to consolidate five areas of operation. Dr. Layzell related what has been done. Dr. Layzell stated that the two priorities that the Task Force has been working towards are the indicators of quality and the consolidation of computer services. The Task Force will soon present a Management Report and a first draft of what the indicators might look like. A mock-up of what this report might look like will be presented to the Board for any suggested changes at its March meeting. The projected time for implementation is the beginning of the new fiscal year.
2. The Task Force has also been working on the consolidation of computer services. In March, the Task Force will present to the Board recommendations for a sole-source arrangement with SCT Corporation. In April, the Task Force will present to the Board a set of options concerning how to proceed with the consolidation. A consultant has been chosen to help create the RFP.
3. The standardization of the Chart of Accounts is proceeding on schedule.
4. At earlier meetings, discussions were held about a company called TMG who contends that they are able to effect saving money on a universities' maintenance contract. Surveys have been done on five of the eight universities. Once all the surveys results are compiled, the information will be given to the Board.

ACKNOWLEDGMENT

Dr. Layzell acknowledged Mr. Frank Alley as the Interim Assistant Commissioner for Construction and Physical Affairs. Mr. Alley will be here for future Board meetings.

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EXECUTIVE SESSION

On motion by Ms. Newton, seconded by Mr. Nicholson, with Mr. Crawford and Dr. Davidson absent and not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Garrett, seconded by Dr. Neely, with Mr. Crawford and Dr. Davidson absent and not voting, the Board **voted to go into Executive Session** for the reasons later reported by the President in Open Session and stated in these minutes, as follows:

Discussion of Point Cadet.

On motion by Dr. Magee, seconded by Mr. Colbert, with Mr. Crawford and Dr. Davidson absent and not voting, the Board voted to return to Open Session.

The following report on the Executive Session was given by the Vice President:

The Board discussed Point Cadet.

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Ross, seconded by Mr. Klumb, with Mr. Crawford and Dr. Davidson absent and not voting, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- | | |
|-----------|--|
| Exhibit 1 | Resolution honoring the Black History Month Educator Dr. Ally C. Mack, Director, Office of International Programs and Executive Director Mississippi Consortium for International Programs, Jackson State University |
| Exhibit 2 | Resolution commending the special Black History Month honoree, Reuben Vincent Anderson |

RESOLUTION

*WHEREAS, the Board of Trustees of State Institutions of Higher Learning pays tribute and recognizes **Dr. Ally C. Mack**, Director, Office of International Programs (OIP) and Executive Director, Mississippi Consortium for International Development (MCID), Jackson State University (JSU), as the Black History Month Educator of the Year 2002; and*

*WHEREAS, **Dr. Mack** received her Ph.D. from The University of Southern Mississippi in American Politics/International Studies/Theory and Methods/Comparative Politics; M.A. degree from Atlanta University in Political Science; and B.A. degree from Grambling State University in Political Science; and*

*WHEREAS, **Dr. Mack** began her career as an Assistant Professor of Political Science at Prairie View A&M University in 1964 and has worked as an Instructor in the Department of Political Science at Texas A&M University, and Assistant Professor, Department of Social Science, Langston University, (Oklahoma). Since 1974, she has served in several capacities at Jackson State University including Assistant Professor, Associate Professor and Associate Chair, and Professor in the Department of Political Science, and in her current positions as Director of the Office of International Programs and Executive Director, Mississippi Consortium for International Development; and*

*WHEREAS, **Dr. Mack** has embraced the multiple roles of leader, follower, thinker and “doer” in her steadfast commitment to diversify and internationalize JSU; and*

*WHEREAS, during her tenure as chairman of the department of political science, **Dr. Mack** and several professors blazed a trail that has had lasting impacts on curricula change, student culture and faculty research, teaching and service; and*

*WHEREAS, through her strong work ethics, exacting grantsmanship, her capacity to identify successful teams to implement and monitor programs and her substantial interpersonal skills, **Dr. Mack** developed at JSU at least 150 linkages and partnerships that span every continent; and*

WHEREAS, these linkages and partnerships have facilitated student exchanges in 18 countries and have resulted in the enrollment of at least 75 foreign students per year at JSU and other MCID institutions; and

*WHEREAS, **Dr. Mack’s** efforts over the last 12 years have greatly diversified JSU and other MCID institutions. She participates in increasing formal diversity of JSU and MCID institutions and interacts day-to-day with international and American students as mentor and counselor; and*

*WHEREAS, **Dr. Mack’s** commitment to diversity continues as MCID and OIP have recruited 185 foreign students to attend JSU for the 2002-2003 academic year; and*

*WHEREAS, **Dr. Mack** has traveled extensively throughout the world to countries such as Mexico, Trinidad, Nicaragua, Guyana, Belize, Honduras, El Salvador, Italy, England, Ukraine, Russia, Nigeria, South Africa, Namibia, and Zimbabwe, which has added to the value of campus culture and life and brought hundreds of international visitors to Mississippi to observe their U.S. counterparts, examine U.S. institutions and develop action plans that are implemented upon their return to their homelands; and*

*WHEREAS, **Dr. Mack’s** current professional and academic association memberships include but are not limited to: Member, Committee on the Status of Blacks in the Profession, American Political Science Association, 1993-Present; Member, Board of Directors, Mississippi International Ballet, 1993-Present; Member, Steering Committee for Educating Minorities for Careers in World Affairs, 1992-Present; Member, The Atlantic Council, 1992-Present; Member, Travel Committee, National Association of Partners of the Americas, 1992-Present; Mississippi State Chair, Fulbright Exchange Program, 1989-Present; Mississippi State Chair, People to People, International, 1988-Present; Board of Directors, Jackson Convention and Visitors Bureau, 1988-Present; President, International Visitors Center of Jackson, 1986-Present; Member Coordinator, Election Campaigns for State/Local Candidates, 1974-Present; and*

WHEREAS, Dr. Mack's consulting experience includes: Fulbright Scholar Program; National Security Education Program; Institute for International Education, South African Career Development Program; U.S. Information Agency; U.S. Department of Education; Mississippi State Conference, NAACP; National Endowment for the Humanities, The Voter Education Program, Atlanta, Georgia; National Women's Education Fund; Mississippi Authority for Educational Television; Governor's Office on Aging Services; and

WHEREAS, Dr. Mack has been recognized for her work by receiving the International Service Award, Links Incorporated; Outstanding Service Award, Mississippi Political Science Association; Community Service Award, Mississippi Women for Progress; Outstanding Service Award, Mississippi Research and Development Council; Listed in Directory of Distinguished Americans; Listed in Who's Who Among Black Americans; Listed in Outstanding Young Women in America; Fannie Lou Hamer Award, National Conference of Black Political Scientists; Community Participation Award, NAACP; and Citizens Participation Award, Community Extension Service; and

WHEREAS, Dr. Mack has written numerous publications and grant proposals; made numerous civic presentations; conducted several seminars, and attended many professional meetings; and

WHEREAS, Dr. Ronald Mason, President of Jackson State University, summarizes Dr. Mack's success:

“The dream that was spawned nearly fifteen years ago as the vision of one woman has blossomed into an institutional awareness of and commitment to a robust diversity. This diversity is one that enriches public service and enhances student and faculty commitments to a universal understanding of the human condition. Dr. Mack is an accomplished, committed educator who has made significant strides in the advancement of diversity at Jackson State University, within the university community, the State of Mississippi and in countries as far away as China. Dr. Mack is well respected by her colleagues and is an excellent mentor and role model for her students. She serves as a goodwill ambassador not only for Jackson State University but the entire State of Mississippi and abroad. The kind of diversity that Dr. Mack has fostered merits recognition. I can think of no one more deserving of this recognition than Dr. Mack.”

THEREFORE, BE IT RESOLVED, that the Board of Trustees of State Institutions of Higher Learning takes great pride in recognizing and commending **Dr. Mack** for her many contributions to the positive advancement of diversity at Jackson State University, the university community, the State of Mississippi and internationally, by naming her the Black History Month Educator of the Year for 2002 in observance of Black History.

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Board and that a copy of this resolution be presented to **Dr. Mack** to share with her family in recognition of her commitment to diversity and education.

DONE, this the 21th day of February 2002.

**WILLIAM S. CRAWFORD, PRESIDENT
BOARD OF TRUSTEES OF STATE INSTITUTIONS
OF HIGHER LEARNING**

RESOLUTION

HONORING FORMER SUPREME COURT JUSTICE REUBEN VINCENT ANDERSON

***WHEREAS**, the Board of Trustees of State Institutions of Higher Learning pays tribute and recognizes Former Supreme Court Justice and Attorney, **Reuben Vincent Anderson**, in observance of Black History Month; and*

***WHEREAS**, Justice Anderson received his B.A. degree from Tougaloo College and his J.D. degree from The University of Mississippi School of Law in Oxford; and*

***WHEREAS**, Justice Anderson's professional experience includes: Partner, Phelps Dunbar LLP, 1991-Present; Jamie L. Whitten Chair of Law and Government, The University of Mississippi, Fall of 1995; Mississippi Supreme Court Justice, 1985-1991; Circuit Court Judge - 7th Circuit Court District (Hinds and Yazoo Counties, Mississippi), 1982-1985; County Court Judge - Hinds County, Mississippi, 1977-1982; Municipal Judge, City of Jackson, Mississippi, 1975-1977; Partner, Anderson, Banks, Nichols & Stewart, 1968-1977; Mississippi Associate Counsel, NAACP Legal Defense and Educational Fund, Inc., 1967-1975; and*

***WHEREAS**, Justice Anderson is the first African American to serve as a Mississippi Supreme Court Justice and received the highest praise for his fairness, knowledge and abilities; and*

***WHEREAS**, Justice Anderson is the first African American to serve as chairman of the Mississippi Economic Council; and*

***WHEREAS**, Justice Anderson is the mediator/arbitrator for Southern Arbitration & Mediation American Arbitration Association Resolute Systems, Inc.; and*

***WHEREAS**, Justice Anderson, an insightful and astute leader, served at the request of Attorney General Mike Moore as mediator in the Ayers Settlement negotiations. Justice Anderson's superb skills and his low-key, down-to-earth style fostered a full and open discussion throughout the negotiation process. Simply put, Justice Anderson played an essential role in reaching a settlement in the 27-year-old Ayers college desegregation case; and*

***WHEREAS**, Attorney General Mike Moore praised Justice Anderson for using his mediation skills to help reach a settlement in the Ayers case: "**Dr. Anderson** is a shining example of what is good about being a lawyer and even a better example of what is good about Mississippi"; and*

***WHEREAS**, Dr. Anderson served as Mississippi Co-Chairman during the 1996 Reelection Committee for President William Clinton; and*

***WHEREAS**, Dr. Anderson has devoted considerable time and energy in serving as Director of the following organizations: BellSouth (Atlanta, Georgia); Burlington Resources (Houston, Texas); The Kroger Company (Cincinnati, Ohio); American Arbitration Association (New York); Trustmark National Bank (Jackson, Mississippi); Mississippi Chemical Corporation (Yazoo City, Mississippi); International Visitors Center; National Job Corps Association (Washington, D.C.); Mississippi Economic Council (President); Jackson Chamber of Commerce; Mississippi School for the Arts; Jackson Enterprise Center, Jackson Zoo, Inc.; Leadership Jackson (Past Chairman); United Way Capitol Area, Inc.; Metro Crime Commission; Boy Scouts of America; Metro Jackson Housing; Jackson Mall Medical Foundation; and*

WHEREAS, Justice Anderson holds memberships in the following organizations:

- C* *Mississippi Bar Association (Past President)*
- C* *American Bar Association*
- C* *Hinds County Bar Association*
- C* *Magnolia Bar Association*
- C* *National Bar Association*
- C* *United States Fifth Circuit Court of Appeals Bar Association*
- C* *United States Supreme Court Bar Association*

WHEREAS, Justice Anderson is a Trustee for the Mississippi Bar Foundation; Ole Miss Alumni Association; Piney Woods Country Life School; R. H. Green Foundation (Chairman); Tougaloo College (Chairman of the Board); Lauren Rogers Museum of Art; Rhodes Scholarship Selection Committee for Mississippi; Institute for Racial Reconciliation (The University of Mississippi); 100 Black Men of Jackson; and

WHEREAS, Justice Anderson's uncommon fortitude and commitment toward working to enhance the quality of life for all the citizens of Mississippi have touched the lives of all who know him and earned him the respect and admiration of people in Mississippi and all over the world; and

WHEREAS, Justice Anderson has been praised by his friends and colleagues for his courage, compassion, honor and willingness to serve; and

WHEREAS, as we embrace the new millennium, **Justice Anderson** is to be commended and accorded the Board's highest accolades for the distinction and honor he has brought to our city, state and the judiciary, in furthering the cause of justice and equality for all citizens; and

WHEREAS, Justice Anderson's service to the community, state and nation may best be summed up in the words of this quote [author unknown]: "A true leader has the confidence to stand alone, the courage to make tough decisions, and the compassion to listen to the needs of others. He does not set out to be a leader, but becomes one by the quality of his actions and the integrity of his intent."

THEREFORE, BE IT RESOLVED, that the Board of Trustees of State Institutions of Higher Learning takes great pride in recognizing and honoring former **Supreme Court Justice Reuben Vincent Anderson** for his unparalleled service and civic contributions to the State of Mississippi.

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Board and that a copy of this resolution be presented to **Justice Anderson** to share with his family in recognition of his lifelong work.

DONE, this the 21st day of February 2002.

**WILLIAM S. CRAWFORD, PRESIDENT, BOARD OF
TRUSTEES OF STATE INSTITUTIONS OF HIGHER
LEARNING**